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MAY 30 2006

CLERK U S DISTRICT COURT
DISTRICT OF ARIZONA

BY _____ DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,
Plaintiff,
vs.
Octavio Zapien-Barraza,
Defendant.

CR 01-0072-001-PHX-EHC

ORDER

A detention hearing and a preliminary revocation hearing on the Petition on was held on May 25, 2006.

THE COURT FINDS that the Defendant has knowingly, intelligently, and voluntarily waived his right to a detention hearing and a preliminary revocation hearing and has consented to the issue of detention being made based upon the allegations in the Petition.

THE COURT FURTHER FINDS that the Defendant has failed to sustain his burden of proof by clear and convincing evidence pursuant to Rule 32.1(a)(6), FED.R.CRIM.P., that he is not a flight risk. United States v. Loya, 23 F.3d 1529 (9th Cir. 1994).

IT IS ORDERED that the Defendant shall be detained pending further order of the court.

DATED this 30 day of May, 2006.

Lawrence O. Anderson
United States Magistrate Judge